

Double patenting issues

Proposed changes for CIP case.

1. An aqueous synfuel composition for use as an additive to combustible materials to facilitate complete combustion, said aqueous composition comprising [1.0% weight of] polyvinyl alcohol, 10.0 to 35% by weight of a hydrocarbon wax and the balance of water, wherein all weight percentages are based on the total weight of the composition.
2. An aqueous synfuel composition as claimed in claim 1 which is in the form of an emulsion.
3. An aqueous synfuel composition as claimed in claim 1 wherein the hydrocarbon wax is selected from the group consisting of paraffin wax, slack wax, microcrystalline wax, other olefinic waxes [wax-like materials] and mixtures thereof.
4. An aqueous synfuel composition as claimed in claim 1 which comprises 2 to 5% by weight of polyvinyl alcohol, 15 to 30% weight of a hydrocarbon wax, 0 to 0.5% of a biocide and the balance of water.
5. An aqueous synfuel composition as claimed in claim 4 which comprises 2 to 4.5% by weight of polyvinyl alcohol, 16 to 26% by weight of a hydrocarbon wax, 0 to 0.10% by weight of a biocide and the balance of water.

6. An aqueous composition as claimed in claim 5 which further comprises 1.0% to 10.0% by weight of one or more filler materials, based on the total weight of the composition.

7. A [The] method of assisting complete combustion of a material, said method comprising the step of applying to the material, a film of aqueous composition which comprises 1.0 to 10.0% by weight of polyvinyl alcohol, 10.0 to 35.0% by weight of a hydrocarbon wax, and the balance of water, wherein all weight percentages are based on the total weight of the composition.

8. A method as claimed in claim 7 wherein said composition is in the form of an emulsion.

9. A method as claimed in claim 7 wherein said composition also includes 1.0 to 10.0% by weight of a filler material, based on the total weight of the composition.

10. A method as claimed in claim 7 wherein said composition comprises 2 to 4.5% by weight of polyvinyl alcohol, 16 to 26% by weight of a hydrocarbon wax, 0 to 0.505 by weight of a biocide, and the balance of water.

11. A method as claimed in claim 7 wherein the composition is applied to the material [by means of] by spraying [on the material].

12. A method as claimed in claim 7 wherein the material is coal

13. A method as claimed in claim 7 wherein said method complies with the Federal

Air Quality Regulations[.], 40 C. F. R.

14. The aqueous synfuel composition as in claim 1 and further comprising
[including] a percentage of polyvinyl acetate in said composition.

15. The aqueous synfuel composition of claim 14 wherein said percentage of
polyvinyl acetate is 10%

16. The aqueous synfuel composition of claim 1 and [including] further
comprising raw coal added to said composition.

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17. The composition of claim 16 and [including] further comprising
polyvinyl acetate.

18. The composition of claim 17 wherein the percentage of polyvinyl acetate is 10%.

19. The composition of claim 16 wherein the range of polyvinyl acetate is from 0% to
20%.

20. The composition of claim 16 wherein said coal is high density coal.

21. A synfuel composition for use as an additive to combustible materials to
facilitate complete combustion; said composition [including] comprising
strong acid and/or other fatty acids
a hydrocarbon wax, a second wax and water.

Consisting essentially of

22. A synfuel composition as in claim 21 and [including] further comprising

titanium dioxide.

23. A synfuel composition as in claim 22 wherein the hydrocarbon wax is selected

from the group consisting of paraffin wax, slack wax, microcrystalline wax,
olefinic wax-like materials and mixtures thereof.

24. A synfuel composition as in claim 22 [221] where said hydrocarbon wax is
paraffin wax with paraffin oil.

25. A composition as in claim 24 wherein the other wax is stearic acid.

26. A composition as in claim 21 and [including] *consisting essentially* further comprising ammonia.

27. A composition as in claim 21 and including 2.0% of the other wax.

28. A composition as in claim 21 and [including] comprising 45% of paraffin wax.

29. A composition as in claim 21 and [including] comprising 45% of titanium
dioxide.

30. A synfuel composition for use as a combustible fuel additive to enhance
complete combustion, said composition consisting of the following:

Slack Wax	46.3%
Other wax	2.0%
Ammonia	0.2%
Titanium Dioxide	4.5%
Water	47.0%

31. A composition as in claim 30 wherein said other wax is [Stearic] stearic
acid.

32. A composition as in claim 30 wherein said [hydrocarbon] other wax is
paraffin wax.

34. The method of assisting complete combustion of a material, said method

comprising the step of applying to the material a composition which includes a hydrocarbon wax, a second wax, ^{stearic acid and/or} ~~stearic acid~~ ammonia and water.

35. The method of claim 34 wherein said second wax [is Stearic] comprises stearic acid.
36. The method of claim 34 wherein said composition [includes] further comprises titanium dioxide.
37. The method of claim 34 and including a base for ph adjustment.
38. The method of claim 37 wherein said base is Potassium hydroxide.
39. The method of claim 37 wherein said base is Sodium hydroxide.
40. The method of claim 34 wherein the [the range of] the wax is present from one half of one percent to seventy percent by weight.
41. An additive for enhancing the combustion of coal, said additive ^{Consisting essentially} comprising the following composition by weight.
- | | |
|------------------------|-------------|
| Wax (stearic acid) | 1/2% to 70% |
| Base for ph adjustment | 0.2% |
| Water | 30% to 99% |
42. An additive as in claim 41 and including titanium dioxide.
43. An additive as in claim 41 wherein said wax includes a paraffin wax.
44. An additive as in claim 41 wherein said wax includes stearic acid.

ARGUMENTS

The claims have been amended to correct the informalities noted by the Examiner

In her last Office action. The use of "further compromises" has been substituted for --including--in many instances. Other changes in syntax and verbiage have also been made.

The Double Patenting provisional rejection is noted by until patentability is Established in the prior case it is not deemed pertinent to discuss this at this time.

Again, the undersigned disagrees with the Examiner in her application of Borenstein. There simply is no teaching of using the prior art composition for the Purpose of the instant invention. The rejections are especially weak in relation to claims 7 - 11 and 13 - 15. Where is the suggestion to modify Borenstein? For what purpose? It is only by hindsight that the Examiner can suggest changes in the reference which is not the standard of obviousness as annunciated by the courts over the years.

Insofar as the rejections of claims 21 - 27, 34, 35 and 40 - 43 over the various Chinese abstracts, it should be noted that the compositions noted contain other Ingredients which would create a problem in the instant invention. There is no suggestion of using those compositions to attain the result of applicant nor is there any Teaching of taking out those ingredients which would prove harmful to the operation of The instant invention. The disclosures simply are not sufficient to teach anything.